IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE V.GIRI

MONDAY, THE 20TH AUGUST 2007 / 29TH SRAVANA 1929

WP(C).No. 25272 of 2007(S)

MC.278/2007 of FAMILY COURT, MALAPPURAM
.....

PETITIONER:

VILLODI UNNI, S/O.UNNOOLI, RETIRED
DRIVER, COLLECTORATE, MALAPPURAM,
NOW RESIDING AT NECHIKKUTTI HOUSE,
MALAPPURAM AMSOM, KEEZHMURI DESOM,
ERNAD TALUK.

BY ADV. SRI.K.SHIBILI NAHA
SMT.A.LOWSY

RESPONDENTS:

C.K.SAROJINI, ARUN NIVAS,
VAYAPPARAPPADU, MANJERI P.O.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/08/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.C. No 35272 of 2007

Dated this the 1st April 2008

JUDGMENT

Second respondent has appeared in person and filed counter affidavit justifying Ext P2 order passed by the Ombudsman. It is pointed out by the learned counsel for the petitioner Sri Rajasimhan that the issue is covered in favour of the petitioner by the judgment of this court in Mavoor Grama Panchayat v. Ombudsman, Local Self Government Institution (2007 (4) KLT 886) and the impugned order, Ext P2, is bad due to reasons stated in the above decision. Following the above decision ,I set aside Ext P2. The writ petition stands allowed.

Sd/-

PIUS C. KURIAKOSE
Judge

01/04/2008
en

[true copy]

Appendix

Petitioners' exhibits:

Ext.P1 - True copy of decision of the Ottoor Panchayat dated 9.11.2007.
Ext.P2 - True copy of the order of Ombudsman for Local Self Government Institutions in Petition No 637/2007 dated 5.9.2007
Ext.P3 - True copy of original pettion No 637/07 before the Ombudsman
Ext.P4 - True copy of S.R.O. No 321/95
Ext.P5 - True copy of notice dated 15.6.2007
Ext.P6 - True copy of separate notices dated 9.11.2007
Ext.P7 - True copy of objection filed by Secretary
Ext.P8 - True copy of objection filed by second petitioner

[true copy]